

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD A. COMBS,

Defendant.

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8:05CR271

ORDER

After consultation with counsel, and pursuant to the filing of a speedy trial waiver (Filing 33) by the defendant,

IT IS ORDERED:

1. Order No. 32 is hereby withdrawn and stricken.
2. Defendant's motion to Continue Trial (Filing 31) is granted, as follows:
 - a. Trial of this matter is continued from January 10, 2006 to **February 7, 2006** before Judge Smith Camp and a jury.
 - b. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **January 10, 2006 and February 7, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reasons stated in the motion, and considering the diligence of counsel. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED January 6, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**